

1653
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IFW

Date: August 20, 2004

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Donald S. Prater
Name (Print)

Donald S. Prater
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ENDO et al.)	Examiner: Chih Min Kam
)	
Application No.: 10/019,995)	Group Art Unit: 1653
)	
Filed: November 20, 2001)	Confirmation No.: 8810
)	
Docket No.: 3190-012)	Customer No.: 33432

For: A PREPARATION CONTAINING CELL EXTRACTS FOR CELL-FREE PROTEIN
SYNTHESIS AND MEANS FOR SYNTHESIZING PROTEIN USING THE PREPARATION

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(d)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 20, 2004

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached.

This Information Disclosure Statement is being submitted after expiration of the three month period following filing of the above-captioned application and after receipt of a final Office Action or Notice of Allowance. A fee of \$180.00 to submit this Information Disclosure Statement is enclosed.

The undersigned hereby certifies that each item of information contained in this statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

08/24/2004 WASFAW1 00000029 10019995

01 FC:1806

180.00 OP

Supplemental Information Disclosure Statement
U.S. Patent Application No. 10/019,995

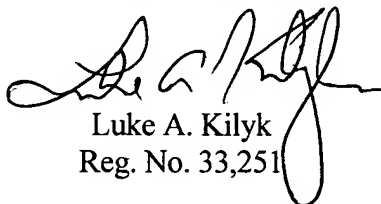
The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

A Credit Card Payment Form in the amount of \$180.00 is enclosed. If there are any other fees due in connection with the filing of this response, please charge the fees to Deposit Account 50-0925.

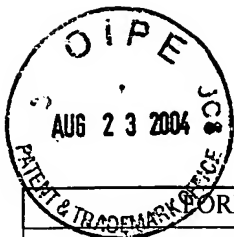
Respectfully submitted,



Luke A. Kilyk
Reg. No. 33,251

Supplemental Information Disclosure Statement
U.S. Patent Application No. 10/019,995

Atty. Docket No.: 3190-012
KILYK & BOWERSOX, P.L.L.C.
53 A East Lee Street
Warrenton, VA 20186
Tel.: (540) 428-1701
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Enclosures: Form PTO-1449, w/5 Documents



FORM PTO-1449 (REV 7-80)	Atty. Docket No. 3190-012	Application No. 10/019,995
INFORMATION DISCLOSURE STATEMENT	APPLICANT: Endo et al.	
	Filing Date: November 9, 2001	Group Art Unit: 1653

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Supplementary Partial European Search Report for EP 99 93 3168 dated July 23, 2004
	Gaitero et al., "Purification of a Novel Heat-Stable Translational Inhibitor from Rabbit Reticulocyte Lysates," FEDERATION OF EUROPEAN BIOCHEMICAL SOCIETIES LETTERS, Vol. 236, No. 2, 1998, p. 479-483.
	Mendez et al., "Primary Structure of ω -Hordothionin, a Member of a Novel Family of Thionins from Barley Endosperm, and Its Inhibition of Protein Synthesis in Eukaryotic and Prokaryotic Cell-Free Systems," EUROPEAN JOURNAL OF BIOCHEMISTRY, Vol. 239, 1996, p. 67-73.
	Kigawa et al., "Cell-Free Production and Stable-Isotope Labeling of Milligram Quantities of Proteins," FEDERATION OF EUROPEAN BIOCHEMICAL SOCIETIES, Vol. 442, 1999, p. 15-19.
	Madin et al., "A Highly Efficient and Robust Cell-Free Protein Synthesis System Prepared from Wheat Embryos: Plants Apparently Contain a Suicide System Directed at Ribosomes," PNAS, Vol. 97, January 18, 2000, p. 559-564.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number	10/019,995
Filing Date	November 9, 2001
First Named Inventor	Endo et al.
Examiner Name	Chih Min Kam
Art Unit	1653
Attorney Docket No.	3190-012

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number

50-0925

Deposit Account Name

Kilyk & Bowersox, P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Claims	-20**=	X		
		-3**=	X		
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0.00)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

SUBMITTED BY

Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701
Signature				Date	August 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Date: August 20, 2004 I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Donald S. Prater

Name (Print)

Signature